

# LegislativeUpdate

Michigan Association of Superintendents & Administrators | October 25, 2019



## In This Update

- Summary
- [House Education Recap](#)
- [School Bus Bills](#)
- [House Commerce Takes Up Bi-Partisan Bill Package to Reduce School Revenues](#)

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## Summary

There still appears to be no break in the log jam on budget negotiations, but we are assured legislative leadership and the governor are working together to find solutions. Now that you've received your first state aid payment, you have seen the impacts of the vetoes. We continue to stress the importance of restoration of funding, like Sec. 22d for isolated districts, and other items members have asked for help on. We are working diligently on all fronts and encourage you to keep stressing to lawmakers the importance of moving some of those supplementals.

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## House Education Recap

This week, the House Education Committee meeting was fairly brief. The committee took up a merit curriculum bill, HB 4974. The bill is sponsored by Rep. Greg VanWoerkom (R-Norton Shores) and would modify the MMC to allow students to satisfy the foreign language requirement with computer coding. During committee, some members questioned why the change applies to the foreign language credit requirements rather than math. The bill sponsor testified that coding aligns more closely with a foreign language.

MASA does not have a position on the bill but generally supports more flexibility on the MMC. Members have expressed some frustration with a continually changing set of requirements and argue that we need to take a more holistic look at the requirements now that we are over a decade into the standards. Which leads us to SB 600. The bill was introduced by Sen. Jon Bumstead (R-Newaygo) and proposes a major rewrite to the standards. This bill has been in the works for months, and MASA has been active in discussions with the sponsor regarding our concerns. We will be producing a summary to share with members and taking the bill through the formal process for developing a position.

Back to House Ed...The committee also took testimony on HB 4989, sponsored by Rep. Joe Bellino (R-Monroe), which would allow all ISD regional enhancement millage elections to be treated the same way. Currently, ISDs with populations greater than 1.4 million students must hold a special election on a regional enhancement millage at the next state primary or general election. HB 4989 eliminates that requirement so all regional enhancement millage elections would be held either at the school district elections or at a special election. There's some history on this related to districts of the first class and Wayne RESA. MASA is supportive of this change and the parity it creates.

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## **School Bus Bills**

In a committee that we're not used to attending – the House Military, Veterans and Homeland Security Committee – legislation regarding school bus safety was discussed. A bi-partisan package of bills was introduced at the beginning of this month to address growing concerns about safety-related instances on school property and near school buses. Note that the bills dealing with stickers and stop-arm camera systems in their current form are written to allow for these items, not mandating that all buses have them.

HB 5038 sponsored by Rep. Jack O'Malley (R-Lake Ann) would prohibit a person from entering a bus without the driver's permission. This would not apply to students, preschoolers, teachers, chaperones, or others authorized to protect the property or the health, safety, and welfare of students. As written currently, the bill is not entirely clear on what the scope of the authorization is. The bill establishes that if a person is found guilty of entering the bus without permission, they would be charged with a misdemeanor punishable by up to 93 days in jail or \$100 or both.

HB 5038 also establishes a violation for individuals entering a bus with the intention to do bodily harm. This violation would be considered to be a felony and punishable of up to one year or a fine up to \$500 or both.

HB 5039 is sponsored by Rep. Daire Rendon (R-Lake City) would add entering a school bus with the intent to do bodily harm to the sentencing guidelines to the Code of Criminal procedure. It is tie-barred to HB 5038.

HB 5040 is sponsored by Rep. Jewell Jones (D-Inkster) would allow for stickers to be placed on a school bus that states "an unauthorized person attempting to board or boarding this school bus is subject to arrest and persecution." The stickers would be placed on the left side of the service door between the bottom of the window and the black rub rails.

HB 5041 is sponsored by Rep. Tyrone Carter (D-Detroit) would amend the Michigan Vehicle Code to allow a school bus to be equipped with a stop-arm camera system. The recorded video from this system could be used as evidence in certain traffic violation proceedings. This camera system consists of two or more cameras affixed to a school bus. HB 5041 states that the cameras must be synched to allow to automatically record or photograph a vehicle that fails to stop for a school bus or passes a school bus. The camera must be able to photograph the license plate of the violating car as well as at least 200 feet in front of the bus. The camera must also be able to record the date, time, and location of the image.

HB 5042 is sponsored by Rep. Greg VanWoerkom (R-Norton Shores) would amend the Pupil Transportation Act to allow for the stop-arm camera systems on buses. A school could either install the system or contract with a private vendor to install and operate the system.

MASA does not have a position on these bills yet, however, given that they are not mandates, the association is more than likely going to support the bills through our formal position process.

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## **House Commerce Takes Up Bi-Partisan Bill Package to Reduce School Revenues**

This week, the House Commerce and Tourism Committee heard testimony on HB 5127, sponsored by Rep. Bronna Kahle (R-Adrian) and HB 5128 sponsored by Rep. Rebekah Warren (D-Ann Arbor), that would exclude "qualified enterprise data centers" from sales and use tax. High-level explanation of these bills is that they seek to revise the definition of a "qualified data center" to include enterprise data centers like those used by Google.

The bill defines an enterprise data center as a facility of one or more buildings in Michigan that is owned and operated by an entity operating a group of networked computers to centralize data storage and processing. However, that building in Michigan does not have to be used for data storage or processing as the bill currently reads. The enterprise data center must have at least \$250 million in capital investment, but it's not required to be a new investment. The enterprise data center must employ at least 30 full-time employees at wages exceeding 120% of the average annual wage of the county the facility is located in.

The bills would also extend the qualified data center exemption for 20 more years, to expire in 2055 rather than 2035 as is currently exempted for one data center that we've talked a lot about, Switch in Gaines Township.

Supporters of the bill argue that the data centers will bring oodles of revenue beyond sales and use tax, but we've seen this movie before. Once this sales and use tax exemption is in place, there's nothing that would stop a data center from coming back another time and asking for a renaissance zone exemption, MEDC credits, and many other incentives to lower taxes and cut revenue to the state, local governments, and schools.

We continue to advocate fiercely against legislation that limits growth on School Aid Fund revenues. Lawmakers stand at podiums and demand better school funding one week, and vote on these types of corporate giveaways the next. If these incentives truly brought the promised investments, we wouldn't be leading the nation in disinvestment in K12 funding. Hold harmless provisions are meaningless and have never been funded. We have to tell lawmakers, "enough is enough. It's time to fund Michigan's schools."